

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

SECURITIES AND EXCHANGE COMMISSION)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.
)	1:16-cv-00107-JJM
RHODE ISLAND COMMERCE CORPORATION)	
(F/K/A RHODE ISLAND ECONOMIC)	
DEVELOPMENT CORPORATION), WELLS FARGO)	JURY DEMAND
SECURITIES, LLC, PETER M. CANNAVA,)	
KEITH W. STOKES, and JAMES MICHAEL SAUL)	
)	
Defendants.)	

DEFENDANT PETER M. CANNAVA'S MOTION TO DISMISS COMPLAINT

Defendant Peter M. Cannava hereby moves to dismiss the Securities and Exchange Commission's ("SEC") complaint dated March 7, 2016 (the "Complaint"). The SEC's claims against Mr. Cannava for aiding and abetting securities violations are deficient and must be dismissed pursuant to Federal Rules of Civil Procedure 9(b) and 12(b)(6), for the reasons set forth in the Memorandum of Law accompanying this Motion.

WHEREFORE, Peter M. Cannava respectfully requests that this Court:

- (i) Grant Mr. Cannava's Motion to Dismiss;
- (ii) Dismiss all claims as to Mr. Cannava (Counts Four and Eight) with prejudice; and
- (ii) Award such other relief as is deemed just and appropriate.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule of the United States District Court for the District of Rhode Island Rule 7(e), Mr. Cannava hereby requests a hearing for oral argument on each and every issue raised in his Motion to Dismiss and accompanying Memorandum of Law in Support of the Motion to Dismiss. Mr. Cannava estimates that the oral argument will require no more than one hour.

Respectfully submitted,

PETER M. CANNAVA

By his attorneys,

/s/ Brian T. Kelly

/s/Charles A. Tamuleviz (by BTK with permission)

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Dated: May 9, 2016

CERTIFICATE OF SERVICE

I hereby certify that this document was filed through the ECF system on May 9, 2016, and is available for viewing or downloading from the ECF system. This document was electronically served on the registered Participants as identified on the Notice of Electronic Filing (NEF).

/s/Charles A. Tamuleviz (by BTK with permission)